

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**March 25, 2013**

**7:00 p.m.**

Present: Colleen Gallagher  
Katie Gallagher  
Kevin Tanski  
Tom Murphy  
Kathy Pucci  
Tony DeMarco  
Ron Van Kirk

Absent: None

Pledge of Allegiance.

#### **DISPOSAL OF MINUTES:**

**MOTION** by Murphy, second by Tanski to approve the minutes of March 11, 2013. **VOTE RESULTED:**  
*Approve:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None.  
**(APPROVED)**

**Mayor's Proclamation:** To honor and recognize Kevin Pucci for his achievement as Ohio's 2013 Policy Debate Champion.

President Pucci introduced Cuyahoga County Councilmember Dan Brady, Brooklyn's representative to the County Council. **Dan Brady** said he is our County Council District 3 representative, representing 115,000 people, of which Brooklyn became part of due to redistricting. Previously served on Cleveland City Council, and both the House and Senate. Currently vice-chairman of the County Council, and chairman of the Health and Human Services Committee. Said he looks forward to working for and with the Council on issues, and on behalf of the city.

#### **PUBLIC SESSION:**

*James Catania* of 9420 Outlook Dr. and 10<sup>th</sup> grade Brooklyn student. Spoke on behalf of the Music Dept. Member of Wind Ensemble, Marching Band and Pit Orchestra, and all the events involving band. If the program is cut it would affect the ability of students to get scholarships and go to college. Does not want to see music or other extra-curricular activities cut. Said the levy needs to be passed in order for the Music Dept. and other activities to continue, which positively impact students. Asked for Council to back the levy.

*Angie Cutler* of 7525 Brookside Dr. and freshman Brooklyn student. Takes part in cheerleading, basketball, Student Council, track, and band, including Marching, Concert and Pit bands. Feels extra-curricular activities teach how to achieve good grades in life after graduation. Without these activities there would be no pride to be from Brooklyn Schools.

*Becky Crossman* of 4587 Memphis Villas So. feels it's important for the Council to support the school levy. Participates in sports and many electives, including band and art, maintaining a 4.1 GPA. These electives have turned her into the student she is, thinking differently, and to analyze, create and express herself. Each coach or director has taught her goals and accomplishments to carry through beyond school. Asked for support for the kids of the city.

*Ecker Prusak* of 4800 Summer Ln., and 7<sup>th</sup> grade Brooklyn student, encouraged everyone to vote for the levy. Involved in extra-curricular activities, including the plays and sports, which will be taken away if the levy doesn't pass.

*Dan Gentile* of 4656 Southwood Dr. thanked the Mayor, Councilpersons Pucci, Gallagher and DeMarco for their support of the bond levy issue. Encouraged the other Councilmembers who have not supported, or come out to support, to get educated on the issue. There is a video on the school website that shows the deterioration of the Middle School, which was built in 1922. This is a very important issue to the kids, the parents, and the Councilmembers. The kids deserve the best learning environment that we can give them. It will cost 77 cents a day, over 365 days per year. If it does not pass the teaching staff will have to be reduced, the support and administrative staffs reduced. Art, Family and Consumer Sciences, Foreign Languages will be cut; music, physical education, various clubs. If it does pass many, many good things will come of it; from education for students, secure and safety systems, consolidate on one campus. Asked everyone to support the bond and levy issue.

#### **REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:**

Finance Committee (Councilwoman Pucci): The Committee recommended adoption of: Res. 2013-2; Ords. 2013-8, 2013-11, 2013-12, 2013-13, 2013-14, 2013-15; and first readings for Ords. #2013-16 and 2013-17. Authorized hiring of a police officer; payment of city's portion of Ridge Road reconstruction; advertising for bids for street repair program; and accepting the bid for the City Hall roof project.

Recreation Board (Kevin Tanski): The Board met March 18<sup>th</sup>. Egg Hunt took place March 23<sup>rd</sup>. Baseball registration has started, deadline is April 6<sup>th</sup>. Bids were put out for the weight room again. Adult Softball will have a men's league and a co-ed league, call the Rec Center. The Spray Pad went to bid on March 19<sup>th</sup>. Padua has requested use of tennis courts, there is an ordinance in to accommodate them. There is a group interested in renting fields and courts. The next meeting is April 15<sup>th</sup> at 6:30 in the Mayor's Court.

Zoning Bd. of Appeals (Comm. Fitzgerald): The Board met March 21<sup>st</sup>, and deferred for one month its decision for a fence variance at 4729 Fairway.

Planning Commission (Katie Gallagher): The Commission will meet April 4<sup>th</sup> at 6 p.m. in the Mayor's Court to hear a request from Agile Sign and Lighting Maintenance, Inc. to install a 308 sq. foot cabinet and illuminated pole sign for business identification of Super K-Mart, 7700 Brookpark Rd.; a request from Sign Erectors, Inc. to install a 29.4 sq. foot LED channeled letter sign for business identification of Huntington Bank at 6300 Biddulph Rd.; a request from Cicogna Electronic and Sign Co. to install a 40.8 sq. foot food and drug illuminated building sign, and to relocate a 36 sq. foot 'Open 24 Hours' illuminated building sign to the west wall of Giant Eagle, 6300 Biddulph Rd.; a request from David Sommers and Assoc. to install a complete new sign package for the Dunkin' Donuts/Baskin Robbins at 4740 Ridge Rd.; a request from Neff and Associates for a lot split and consolidation of Sam's Club, 10250 Brookpark Rd.; a request from Brilliant Electronic Sign Co. to install wall mounted business identification sign and reface existing free-standing sign of Donald Marten and Sons Ambulance Services, 10830 Brookpark Rd.

#### **REPORTS OF COUNCIL:**

**Colleen Gallagher:** Thanked those who addressed Council and the last and current Council meetings, and understand the concerns. Superintendent Walker spoke at the Democratic meeting on the combined operating levy/bond issue. Residents should take the time to contact her or the Treasurer to get accurate information and get questions answered in order to make an informed decision. Congratulated Kevin Pucci on his accomplishment.

**Katie Gallagher:** Asked Chief Zemek to updated explanation on the green water in the back of Key Bank. As a result of the budget meetings, Brooklyn is facing many concerns in the near future, due to large businesses in question, decrease in revenue from the state, and decreasing property values. Hopes Council and the Mayor can agree on how to find ways to increase revenue without going to residents for taxes, or by decreasing expenses without cutting services. Innovative ways must be found, or we will be left with having to do one of these things, which she finds unacceptable.

**Kevin Tanski:** Reminded that March 29<sup>th</sup> at noon is the last day to register for Youth Opportunities at [www.youthopportunities.org](http://www.youthopportunities.org). Thanked Councilman Murphy for his support on this program. Thanked Mr. Gentile for his comments, and those students who spoke.

**Tom Murphy:** Thanked Mrs. Migliorino for looking into additional funds that may hopefully finish the Tiedeman Road project. Thanked Mr. Dan Brady for coming. Passover started at sundown. Wished everyone a happy and safe Easter. Thanked the students that spoke eloquently.

**Tony DeMarco:** Gave a personal thank you to firefighters Ed Coyne and Mike Dranuski for their timeliness and professionalism in taking care of his neighbor who had fallen in a garage; and an additional thank you to firefighters George Cehelnik and John Stefanko for the professional timely response to a call for his aunt. Thanked the students for coming and speaking. Reiterated extra-curricular activities are important, and he was involved when he went to Brooklyn. Repeated that from the city's perspective, the Mayor, Council, previous Council have cut expenses as much as we can without significantly reducing services to residents. He's been calling for ways to come up with generating revenues without going to taxpayers. The schools' monies mostly come for property taxes, and they have no say in the valuation from the county; and they have a revenue problem like the city. The question is simple, how much do you value an independent school system; and if you do, support the levy. Reiterated to the Mayor he wants to see us take strong action soon to generate additional revenue for the city; waiting and hoping is not a strategy for the future. Wished everyone a happy Easter.

**Ron Van Kirk:** Congratulated Kevin Pucci. Thanked for the young people who spoke on the bond issue and levy. Thank Mr. Tanski for his work with Youth Opportunities. Echoed concerns on bringing more revenue to the city. It's very important to exercise something very quickly. Happy Easter and Resurrection Day.

**Kathy Pucci:** Thanked Mr. Brady for coming this evening. Thanked the Mayor for recognizing her son Kevin's accomplishments. Commended and thanked the students and Mr. Gentile who spoke. Believe it's a community's obligation to provide safe facilities and sufficient funds to educate young people. Recognizes the need for a new facility. Encouraged people to tour the facility or view the video. Through no fault of the school their revenue has declined, and have been through several cycles of reductions, and have cut the fat from their budget. Further cuts would seriously impact the students and their experiences in the schools. She thinks it's up to the community to provide opportunities for all the children in our community, and encourages everyone to support the levy; and further to contact a School Board member, the Superintendent, or Treasurer for any questions and for information. The schools are vital. Wished everyone a happy Easter.

#### **MAYOR'S REPORT:**

**Mayor Albier:** Thanked the students for speaking. The old library has become the Loving Cup Kids Academy of Brooklyn. The ribbon cutting was Thursday, and the building is beautiful. They will be open from 6 a.m. to midnight. Thanked Mrs. McGinty and the Rec Dept for a great Easter Egg Hunt. Said Econ. Dev. Dir. Migliorino found a couple of grants for Associate Avenue, one \$25,000 and one for \$50,000 which will pay for half the cost of the project. Wished everyone a happy and safe Easter.

#### **DIRECTORS' REPORTS:**

Fire Chief Zemek: In response to Councilwoman K.Gallagher, there had been a truck that leaked coolant behind the restaurants, and he thought that caused the coloration. But a NEORSD rep. was at the meeting and gave him a contact, who informed him that NEORSD has been putting (not dangerous) green dye through the Big Creek behind Key Bank and Wal-Mart, the hotels on Tiedeman, the Big Creek Parkway, and Knollwood area, watching where it is flowing to the tributary and the sewer systems, and it is ongoing. They apologized for neglecting to inform Brooklyn about it. It's related to a large culvert that's been built in the west end of Cleveland. So there are no bad chemicals or anything going on. Said back in November commendations were given to firefighters for rescuing a person from an apartment fire; those men were nominated for a state award from the American College of Emergency Physicians and Ohio Division of EMS, the Star of Life Award. They, along with five Parma firefighters who assisted, won the award and will be

honored at a ceremony in May where they will be recognized. They are Lt. Matt Beni, Firefighters Ed Kriausky, Matt Antal, George Cehelnik, Ed Coyne, and John Stefanko. He is proud of them and looks forward to congratulating them at the ceremony.

**REQUESTS:**

A request for a liquor permit transfer at 10300 Brookpark Rd., from Lehigh Gas Ohio, dba BP AM/PM to 7-Eleven, Inc. **MOTION** by C.Gallagher, second by Tanski for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco. Abstain: VanKirk. No: None. **(APPROVED)**

Chief Mielke sent a letter that Ptl. Frank Ferrini will retire 4/2/13, with Brooklyn since Sept. 2003. He is asking the city to consider replacing him with another officer, in addition to the two he was already authorized to hire, allowing us to maintain our level of staffing. **MOTION** by C.Gallagher, second by K.Gallagher to authorize the hire of a third police officer. **VOTE RESULTED:** *To Approve:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(APPROVED)**

A request to authorize payment for the Ridge Road reconstruction project. It was approved for temporary budget in January, but with the passage of this evening's permanent budget, it will allow for the additional funds needed. Brooklyn's share is \$1,591,498.40. **MOTION** by C.Gallagher, second by Tanski to approve the payment. **VOTE RESULTED:** *To Approve:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(APPROVED)**

A request from the Service Dir. to advertise for bids for the 2013 local street repair program, to include Northcliff (west of Ridge to overpass), Glencoe (west) and Associate Ave. **MOTION** by C.Gallagher, second by Van Kirk to advertise for bids. **VOTE RESULTED:** *To Approve:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(APPROVED)**

A request from the Service Dir. to accept the bid for the City Hall roof project, for Terek Roofing, \$293,158. Also accepting Alternate 1 for the wall panels, Terek Roofing, \$17,080. Total not to exceed \$350,000 to cover additional work that could be found during installation phase. **MOTION** by C.Gallagher, second by Tanski to accept the bid. **VOTE RESULTED:** *To Approve:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(APPROVED)**

**LEGISLATION:**

**RESOLUTION 2013-2:** Accepting the Improvement Target Areas as designated by the County and approving the application for upgrading the City of Brooklyn's parks and recreation areas, to be funded under the Community Development Block Grant Program. (includes redoing basketball courts, replace some equipment at Kids Kingdom, replace equipment at John Frey Park.) **MOTION** by C.Gallagher, second by K.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-8:** Annual Appropriations. To make appropriations for current and other expenditures of the City of Brooklyn, State of Ohio, for the period January 1, 2013 to December 31, 2013. **MOTION** by C.Gallagher, second by Van Kirk. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-10:** Amending Section 1117.05(c) Fences, of Chapter 1117 Residential District Regulations of the Codified Ordinances. (change allows a solid fence under the Code) **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-11:** Providing for fees for softball/baseball/soccer/basketball/tennis/volleyball courts/fields usage within the City of Brooklyn Recreation Dept. **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-12:** Authorizing the purchase of one ambulance and associated equipment and trade-ins in the amount not to exceed \$229,770 from Pfund Superior Sales, Inc. **MOTION** by C.Gallagher, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-13:** Authorizing the Mayor to enter into a service agreement renewal with Bailey Communications, Inc. to provide maintenance of network, software, support and other related services for the City of Brooklyn. Total is \$46,840.56. **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-14:** Allowing the City of Brooklyn to enter into an Ohio Department of Development roadwork agreement relating to the reconstruction of Associate Avenue. Provides for a \$25,000 grant. **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-15:** Allowing the City of Brooklyn to enter into an Ohio Department of Transportation Office of Jobs and Commerce agreement relating to the reconstruction of Associate Avenue. Will receive \$50,000 from this. **MOTION** by C.Gallagher, second by K.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. *Adopt:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None. **(ADOPTED)**

**ORDINANCE 2013-16:** Providing for the issuance and sale of \$728,900 notes, in anticipation of the issuance of bonds, to pay costs of resurfacing certain city streets to be approved by City Council, together with all work incidental thereto. The Fiscal Officer's Certificate is attached. **(FIRST READING)**

**ORDINANCE 2013-17:** Providing for the issuance and sale of \$646,100 notes, in anticipation of the issuance of bonds, to pay for costs of improvements to city buildings, including parking therefor. The Fiscal Officer's Certificate is attached. **(FIRST READING)**

Councilman Murphy asked how much was allotted for the Associate Avenue project. Mayor Balbier said \$150,000. Half of it will be funded.

Finance Dir. Esarey and Council President Pucci thanked JoAnn for stepping in and substituting for Mary-Jo at the meeting.

There being no further business, **MOTION** by Tanski, second by Van Kirk to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: C.Gallagher, K.Gallagher, Tanski, Murphy, Pucci, DeMarco, VanKirk. No: None **(ADJOURNED)**

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Asst. Clerk of Council

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President of Council